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January 7, 2020

VIA ECF

Honorable Judge Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

USDC SDNY
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Re: Mercer v. 225 East President Street, LLC
SDNY Case No.: 1:19-cv-09071-LGS

Dear Judge Schofield,

This office represents the Plaintiff, Stacey Mercer, in the above-captioned case. An initial pre-trial conference is scheduled for January 14, 2020 at 10:30 a.m.

On December 19, 2019, a status letter was filed informing the Court that Plaintiff had been in communication with Steve Green, a principal of Defendant, 225 East President Street, LLC. To date, no further communications have taken place between the parties. Mr. Green left a message for Plaintiff while he was away on vacation and out of the office during the holidays. Plaintiff has since returned the message with no further contact. As such, Plaintiff respectfully requests that this Court adjourn the conference to an alternate date and time to allow Defendant time to make an appearance. This is our second request for an adjournment of this conference, and the request will not prejudice any parties or affect any other scheduled dates.

We thank the Court for your time and consideration in this matter.

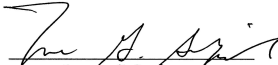
Per the affidavit of service (Dkt. No. 8) and December 3, 2019, Order (Dkt. No. 9), Defendant was required to appear by November 29, 2019. Since the parties have not yet resolved the matter, Defendant shall appear immediately. The January 14, 2020, 10:30 a.m. conference is adjourned until **January 21, 2020, at 10:30 a.m.** The parties shall file their conference materials, in accordance with Dkt. No. 3, as soon as possible and no later than **January 14, 2020**. Further failure to comply with Court orders may result in sanctions. Because Defendant has not yet appeared, Plaintiff's counsel is respectfully directed to (1) communicate the substance of this Order to Defendant by telephone and (2) send a copy by e-mail, or if necessary, by mail.

Respectfully Submitted,

Law Offices of Nolan Klein, P.A.

By: /s/ Hector V. Ramirez
HECTOR V. RAMIREZ, ESQ.

Dated: January 8, 2020
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE